

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

\* \* \* \* \*

**C.W.P. No. 15009 of 2012 (O&M)**

Date of decision : October 31, 2012

\* \* \* \* \*

**Devender Singh**

.....Petitioner

Versus

**Chief Information Commissioner and others**

.....Respondents

\* \* \* \* \*

**CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL**

\* \* \* \* \*

Present: None for the petitioner.

Mr. Roopak Bansal, Additional Advocate General,  
Haryana.

Mr. Jitendra Sharma, Advocate for respondent no.5.

\* \* \* \* \*

**RAJESH BINDAL, J.**

The petitioner in the present case had approached this Court with a grievance that he had filed appeal before the State Information Commission way back in April 2012 but date of hearing given was 14.1.2013.

After the notice of motion was issued in the present writ petition, learned counsel for the respondents submitted that the date of hearing in the case of the petitioner was pre-poned from 14.1.2013 and the same is now being decided finally.

Keeping in view the aforesaid statement made by counsel for the State, the present petition is disposed of as infructuous.

While taking note of the contention raised by the learned counsel for the petitioner, on 16.8.2012, this Court passed the following order:

*“Learned counsel for the petitioner submitted that against incomplete information provided by the Haryana Staff Selection Commission vide communication dated 14.12.2011, the petitioner had preferred an appeal before the State Information Commission, Haryana on 20.01.2012, in which the date of hearing was intimated to the petitioner vide communication dated 30.5.2012 as 14.1.2013. He further submitted that similar process is being followed in all the appeals filed before the State Information Commission, Haryana. Number of cases listed before the Bench of State Information Commission but on a particular date are not more than 4-5. Learned counsel for the petitioner also referred to an earlier order passed by this court, where one of the persons had to approach this Court raising a grievance, where he had been given a long date of hearing.*

*Let learned counsel for respondents no.*

*3 and 4 furnish complete details of the number of Commissioners, who are hearing the appeals and any other applications filed before the Commission, number of cases filed in each month, number of cases disposed of, number of pending cases and the reasons for giving date of hearing in an appeal after one year. The information be furnished for the last two years.”*

In response thereto, affidavit dated 7.9.2012 was filed by the Under Secretary, State Information Commission Haryana. In the aforesaid affidavit, information has been furnished regarding institution, disposal and pending cases before the Commission from July 2010 to July 2012. The table providing the information is reproduced hereinbelow:

<i>Month</i>	<i>Institution</i>	<i>Disposal</i>	<i>Pendency</i>
July 2010	----	----	840
August 2010	317	319	838
September 2010	418	242	1014
October 2010	312	176	1150
November 2010	301	314	1137
December 2010	543	420	1260
January 2011	478	331	1407
February 2011	628	337	1698
March 2011	556	433	1821
April 2011	441	269	1993
May 2011	312	197	2108
June 2011	379	418	2069
July 2011	558	382	2245
August 2011	478	381	2342
September 2011	384	383	2343
October 2011	376	316	2403

<i>Month</i>	<i>Institution</i>	<i>Disposal</i>	<i>Pendency</i>
November 2011	453	374	2482
December 2011	396	317	2561
January 2012	442	244	2759
February 2012	489	475	2773
March 2012	533	341	2965
April 2012	381	312	3034
May 2012	659	490	3203
June 2012	363	387	3179
July 2012	664	492	3351

Total number of pending cases till July 2012 are 3,351. There was one State Chief Information Commissioner and three State Information Commissioners working at that time. Thereafter three more State Information Commissioners have been appointed in September 2012 making it a total of seven.

Section 15 of the Act enables the State government to appoint a State Chief Information Commissioner and such number of Commissioners not exceeding ten, as may be deemed necessary. It does not mean that State Government is at liberty to appoint ten State Information Commissioners without considering the work load. The number of cases filed and pending before the Commission prima facie do not justify the number of Commissioners appointed.

Let an affidavit of the Chief Secretary, Haryana be filed justifying number of Commissioners appointed vis-a-vis the number of appeals filed.

Let the needful be done before the next date of hearing i.e 15.11.2012. The file pertaining to the appointment of Information Commissioners in September 2012 be also produced in the Court on

the next date of hearing.

Copy of the order be given to the learned State counsel  
under the signatures of the Bench Secretary of the Court.

31.10.2012  
ritu

(Rajesh Bindal)  
Judge